

BSF/11/980213

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

ROSETTA CAMPBELLE,

Index No. 07 CV 4442

Plaintiff(s),

VERIFIED ANSWER

-against-

BU-06-06-23-32-001

THE NEW YORK CITY TRANSIT AUTHORITY,
and THE CITY OF NEW YORK

Defendant(s).

- - - - -X

Defendant(s), NEW YORK CITY TRANSIT AUTHORITY, sued
herein as "THE NEW YORK CITY TRANSIT AUTHORITY" for their
verified answer to the verified complaint of the plaintiff(s)
herein:

1. Denies that it has any knowledge or information
thereof sufficient to form a belief as to each and every
allegation contained in paragraph(s) of the verified complaint
numbered 1, 3, 5, 6 and 7.

2. Denies, upon information and belief, each and
every allegation contained in paragraph(s) of the verified
complaint numbered 2, 8, 9, 10 and 11.

3. Denies, upon information and belief, each and
every allegation contained in paragraph(s) of the verified
complaint numbered 4 except admit(s) that a certain paper
purporting to be a notice of claim was received by the office of

the defendant(s), NEW YORK CITY TRANSIT AUTHORITY; that less than one year and ninety days has elapsed from the alleged happening of the occurrence herein until the commencement of this action.

**FOR A SEPARATE AND DISTINCT AFFIRMATIVE
DEFENSE TO THE ALLEGED CAUSE(S) OF
ACTION OF PLAINTIFF(S) AND IN
DIMINUTION OF DAMAGES, DEFENDANT(S),
NEW YORK CITY TRANSIT AUTHORITY,
ALLEGE(S), UPON INFORMATION AND BELIEF:**

4. That whatever injuries or damages the plaintiff(s) may have sustained at the time and place mentioned in the verified complaint, were caused, in whole or in part, by the culpable conduct of the said plaintiff(s), said culpable conduct having contributed thereto.

5. The amount of damages recovered, if any, shall therefore be diminished in the proportion which the said culpable conduct attributable to plaintiff(s), bears to the culpable conduct which caused the said damages.

WHEREFORE, defendant(s), NEW YORK CITY TRANSIT
AUTHORITY, demand(s) judgment dismissing the verified complaint
of the plaintiff(s) with costs.

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY,
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201
(718)694-3850

BY: _____
BENNETT S. FISCHTHAL, ESQ.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROSETTA CAMPBELLE,

Plaintiffs,

**Demand for Interrogatories
Propounded for Defendants**

-against-

Docket No. 07 CV 4442
Judge Sand

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendants.

-----X

SIR:

PLEASE TAKE NOTICE that pursuant to the Federal Rules of Civil Procedure, the defendant, NEW YORK CITY TRANSIT AUTHORITY hereby require that the plaintiffs, respond to the following interrogatories propounded by said defendant, all of the following interrogatories refer to the cause(s) of action alleged by the said plaintiff in the complaint. As to each of the following state:

1. Residence of plaintiffs, giving street and number.
2. Plaintiffs' dates of birth.
3. Date and approximate time of occurrence.
4. If a bus or other transit vehicle is involved, give its direction, the number thereof and the number of the defendant's employee in charge of said bus or other transit vehicle and the name of said employee.
5. The precise act, acts or omissions constituting the negligence claimed; if violations of statutes, ordinances, rules or regulations are claimed, specify same.
6. The nature, extent and location of each and every injury alleged to have been sustained, and which of the same, if any, are claimed to be permanent, and in an action designated in subdivision one of section sic hundred seventy-three of the Insurance Law, for personal injuries arising out of negligence in the use or operation of a motor vehicle in this state, in what respect plaintiff has sustained a serious injury, as defined in subdivision four of section six hundred seventy-one of the Insurance Law, or economic loss greater than basic economic loss, as defined in subdivision one of section six hundred seventy-one of the Insurance Law.
7. Length of time confined to (a) bed, (b) house, and if confined to a hospital state the name and address thereof and state the dates of admission and discharge.
8. The vocation of plaintiffs and length of time incapacitated from employment.
9. Total amounts claimed for special damages for:
 - a. Physicians' names and addresses, amount for services performed and medical supplies.
 - b. Loss of earnings, with name and address of employers.
 - c. Hospital expenses.
 - d. Nurse or maid service or other special services.
 - e. Or any special damages claimed by plaintiff.

- f. Reasonable and necessary expenses incurred by plaintiff in obtaining services in lieu of those she would have performed for income; name and address of person or persons performing such services and period of time in which such services were performed.
10. Whether plaintiffs plan to use any expert witnesses at trial herein and, if so, their names and the nature of their expertise, and the substance of their expert testimony.
11. The names and addresses of any witnesses to the alleged incident forming the basis for the action.

The demands for interrogatories herein are continuing demands; if information requested herein becomes subsequently available to plaintiff(s) such information is required to be transmitted to the propounding defendant(s).

Dated: Brooklyn, New York
June 21, 2007

Yours, etc.,

Wallace D. Gossett
Attorney for Defendant
NEW YORK CITY TRANSIT AUTHORITY
130 Livingston Street
Brooklyn, New York 11201

By: BENNETT S. FISCHTHAL, ESQ.

To: [SEE RIDER ATTACHED].

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROSETTA CAMPBELLE,

Plaintiffs,

-against-

Documentary Demand
Docket No. 07 CV 4442
Judge Sand

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendants.

-----X

S I R S:

PLEASE TAKE NOTICE, that pursuant to the **Federal Rules of Civil Procedure**, the defendant, **NEW YORK CITY TRANSIT AUTHORITY** hereby requires that the plaintiff produce the following:

1. Collateral Source Reimbursement
2. Demand For Expert Information
3. Demand For Pharmacy Records
4. Production of Executed Statutory Hearing
5. Demand for Income Tax and Employment Records
6. Demand for Statements
7. Demand for Medical and Hospital Records and Authorizations, etc.
8. Demand for Photographs
9. Demand for Witnesses

Please see attached for specifics of each request.

Dated: Brooklyn, New York
June 21, 2007

Yours, etc.,

Wallace D. Gossett
Attorney for Defendant
NEW YORK CITY TRANSIT AUTHORITY
130 Livingston Street
Brooklyn, New York 11201

BY: BENNETT S. FISCHTHAL, ESQ.

To: [SEE RIDER ATTACHED].

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR BIRTH
CERTIFICATE**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE that the plaintiff(s) is/are hereby required to produce for discovery, inspection and copying by counsel for the defendant(s) copies of the birth certificate of the infant plaintiff(s) in the above-captioned matter.

It is requested that the aforesaid production be made within twenty (20) days of the date herein at 10:00 A.M. at the law offices of the undersigned.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND TO PRODUCE
COLLATERAL SOURCE
REIMBURSEMENT**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE that defendant(s), by its(their) attorney, WALLACE D. GOSSETT, demand(s) that you produce the following, pursuant to Federal Rules of Civil Procedure, for its/their discovery and inspection within twenty (20) days:

1. Any and all books, records, bills, insurance applications, insurance receipts, cancelled checks, copies of checks and any and all other records pertaining to collateral source reimbursement received by plaintiff(s) or on behalf of plaintiff's(s') special damages alleged in the instant lawsuit.
2. Duly executed authorizations permitting the defendant(s) to obtain the records of any person, institution, facility or governmental agency which has provided, or will provide any reimbursement for any of the special damages alleged herein, whether or not such person, organization, facility or governmental agency has been listed in response to paragraph "1", above.
3. Duly executed authorizations permitting the defendant(s) to obtain all social security records, Workers' Compensation records, employees benefit program records, No-Fault records and any disability records pertaining to the plaintiff(s) herein.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR EXPERT
INFORMATION**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE that the defendant(s) herein requests that the plaintiff(s) identify each person whom the plaintiff(s) expects to call as an expert witness at trial and shall in addition thereto, provide the following information:

1. The subject matter on which each expert is expected to testify including a specification of the specialty of the expert, and the area of medicine or other area in which he or she is expected to testify;
2. The sum and substance of the facts on which the expert is expected to testify, including any hypothetical facts which the expert has been asked to assume;
3. A recitation of each of the opinions of the expert;
4. A summary of the grounds for each expert's opinion including a specification of any real evidence, opinion evidence or facts on which each opinion is based;
5. A recitation of the qualifications of each expert setting forth the following:
 - (a) Whether or not the expert is Board Certified and if so, the name of the Certifying Board and the year that the expert was certified;
 - (b) The State(s) in which the expert is licensed to practice medicine, or other area of specialty;

- (c) The State(s) in which the expert regularly practices medicine, or other area of specialty;
 - (d) The State in which the expert maintains his regular office for the practice of medicine or other specialty;
 - (e) Any text, article, feature, published letter or other work authored, contributed to or edited by the expert identified by publication, volume number, date or other appropriate identifying matter including title, etc.;
 - (f) The area of specialization regularly practiced by the expert;
 - (g) The undergraduate school and the year of graduation of the expert;
 - (h) Any medical schools or other graduate and/or post graduate and/or professional institutions attended by the expert including the years of attendance and graduation;
 - (i) The internship, residency, fellowship and/or other specialized training of the expert, including years of attendance, institutions attended and years of graduation, if any;
 - (j) Such other qualifications as the expert may possess.
6. Such other qualifications as the expert may or other non-medical expert state the name and address of each such expert you expect to call as a witness at trial, in addition to the items requested above, also state in reasonable detail:
- (a) The subject matter of which each expert is expected to testify, including but not limited to projected items of expense, lost earnings or other loss, and present value of projected items;
 - (b) The sum and substance of the facts and opinions on which the expert is expected to testify as to the matters set forth in response to subparagraph
 - (c) A response to this demand for discovery shall be forthcoming within twenty (20) days from the date hereof. A failure to respond to said demand within the time allotted shall result in a motion to dismiss or preclude or such other relief as the Court may grant.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR LEGAL
REPRESENTATIVES**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

WALLACE D. GOSSETT, attorney for defendant(s) demand(s) that you serve upon the undersigned at the address set forth below, a list of those who have appeared in this action, together with their post office address and residence addresses, their attorneys and their attorney's addresses, in sufficient detail to permit service of papers pursuant to Federal Rules of Civil Procedure, together with copies of all pleadings had herein.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR MARRIAGE
CERTIFICATE**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE that defendant(s), by its(their) attorney WALLACE D. GOSSETT, demand(s) that you produce the following, pursuant to Federal Rules of Civil Procedure, for its(their) discovery and inspection within (20) days:

Copies of and/or authorizations to permit the defendant(s) to obtain copies of any and all marriage certificates, or other writings evidencing the marriage allegedly existing by and between the plaintiff(s) herein.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR PHARMACY
RECORDS**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

Demand is made that you serve upon the attorney for the defendant(s) all pharmaceutical records and/or authorizations therefore, relating to the plaintiff's(s') condition and the injuries claimed in the above-entitled action.

PLEASE TAKE FURTHER NOTICE, that your failure to comply with the foregoing within twenty (20) days will serve as the basis of a motion will be made to the Court for the appropriate relief with costs.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**NOTICE TO PRODUCE
STATUTORY HEARING**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure, you are hereby required to produce at the offices of the undersigned attorney within twenty (20) days from the date herein,

1. The transcript of the statutory hearing conducted of plaintiff(s) by THE CITY OF NEW YORK for photo-copying at the premises of the undersigned or in the alternative to provide defendant(s) with photocopies of the aforementioned item.
2. The executed original transcript of the statutory hearing conducted of plaintiff(s) by NEW YORK CITY TRANSIT AUTHORITY.

PLEASE TAKE FURTHER NOTICE that upon failure to produce the aforesaid item, a motion will be made to the Court for the appropriate relief with costs.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR SCHOOL
RECORDS**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

Demand is made that you serve upon the attorney for the defendant(s) all school records and authorizations therefore, for all reports of school officials relating to the plaintiff's(s') academic and attendance record at school in connection with injuries claimed in the above entitled action.

PLEASE TAKE FURTHER NOTICE, that your failure to comply with the foregoing within twenty (20) days, a motion will be made to the Court for the appropriate relief with costs.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR INCOME TAX
AND EMPLOYMENT RECORDS**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE that defendant(s), by its/their attorney, WALLACE D. GOSSETT, demand(s) that you produce the following pursuant to Federal Rules of Civil Procedure, for its/their discovery and inspection within twenty (20) days:

1. The names and address of all institutions, firms, corporations, partnerships, persons or others by whom the plaintiff(s) were employed by or from whom the plaintiff(s) received salary and/or income benefits for the three (3) years prior to plaintiff's(s') incapacitation as claimed herein and for one (1) year subsequent.
2. Duly executed authorizations to permit the defendant(s) to obtain the records of the aforesaid with respect to the plaintiff's(s') earnings, position, title, working capacity, record of attendance, record of illness and employment status.
3. In the event that either plaintiff or both was self-employed, an independent contractor, employed by relatives, or in the presence of any other special circumstances, it is demanded that the plaintiff(s) provide duly executed authorizations to permit the defendant(s) to obtain copies of any and all federal, state and city income tax returns for the years specified in item "1", and it is further demanded that the plaintiff(s) produce copying and inspection of

all W-2 forms for the years specified in item
"1".

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR UNWRITTEN
STATEMENTS**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE, that pursuant to Federal Rules of Civil Procedure, the defendant(s) named below demand(s) that all opposing parties produce at the office of the undersigned attorneys, the names and residence of each and every individual who spoke, discussed or otherwise communicated with the below-named defendant(s), or with its employees, or agents, about the occurrence of the alleged injuries herein, together with the business and residence addresses of each named individual, together with any notes or memoranda or tape made by such individuals, or by any one on behalf of any opposing party or opposing party's attorneys with respect to each such conversation, discussion or review.

It is requested that the aforementioned production be made within twenty (20) days of the date herein at 10:00 A.M. at the law offices of the undersigned attorneys. Inspection will be made and copying at the defendant's expense, and the documents will be promptly returned after copying has been completed.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR WRITTEN
STATEMENTS**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE, that pursuant to Federal Rules of Civil Procedure, the defendant(s) named below hereby demand(s) that you produce at the offices of the undersigned, within twenty (20) days the original of each and every statement and other writing taken or received by said plaintiff(s) or any other writing party or their representative attorneys, agents or representatives, from said defendant(s) or any employees or agent of said defendant(s) and permitting said defendant(s) or the undersigned acting on behalf of said defendant to inspect and copy such statement and writing.

The aforesaid production may be complied by sending a true copy of each aforementioned statement and writing to the undersigned within the time hereinbefore specified.

PLEASE TAKE FURTHER NOTICE that in the event of your failure to comply with this Notice, the undersigned will move to preclude plaintiff(s) or other opposing party from introducing into evidence and from otherwise using each aforementioned statement and writing for any purpose whatsoever, upon the trial of this action.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**NOTICE TO TAKE
DEPOSITION UPON ORAL
EXAMINATION**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE, that pursuant to Federal Rules of Civil Procedure and Rules the testimony, upon oral examination of ALL PARTIES as adverse parties will be taken before a Notary Public who is not an attorney, or employee of an attorney for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest or because of consanguinity or affinity to any party herein at 130 Livingston Street, 11th Floor, Brooklyn, New York, on the day of , 20 , at 2:00 o'clock in the afternoon of that day with respect to evidence material and necessary in the defense of this action.

All of the relevant facts and circumstances in connection with the accident which occurred on June 23, 2006, including negligence, contributory negligence, liability and damages.

That the said person(s) to be examined is/are required produce at such examination the following: all the relevant books and records, pursuant to Federal Rules of Civil Procedure.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR MEDICAL AND
HOSPITAL RECORDS**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

Demand is made that you serve upon the attorney for the defendant all medical, physician and hospital records and reports and authorizations therefore, and all reports, office records, charts, prescriptions, x-rays, radiological films, CT Scans, MRIs, diagnosis reports and laboratory reports of physicians who saw, examined, treated, diagnosed and/or rendered therapy to plaintiff(s), in connection with injuries claimed in the above-entitled action.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**DEMAND FOR NAMES AND
ADDRESSES OF ALL
WITNESSES**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE that defendant(s) demand(s) that you set forth in writing, under oath, and serve upon us within ten (10) days of this date:

- a. The names and addresses, both residence and business, of each person known or claimed by you to be a witness to the occurrence.
- b. The names and addresses, both residence and business, of each person known or claimed by you to be a witness as to notice of the condition alleged in the complaint in this action.
- c. The names and addresses, both residence and business, of each person intended by plaintiff(s) to be called to testify at trial.

PLEASE TAKE FURTHER NOTICE that this demand shall be deemed to continue during the pendency of this action and defendant(s) will object at trial to the testimony of any witness not identified pursuant to this demand.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**NOTICE TO PRODUCE
PHOTOGRAPHS**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

- - - - -X

S I R S:

PLEASE TAKE NOTICE, that pursuant to Federal Rules of Civil Procedure, you are hereby required to produce at the offices of the undersigned attorneys within ten (10) days from the date herein, any photographs, videotapes or other visual reproductions of the site of the accident at issue and/or of injuries claimed by the plaintiff(s) herein relating to the issues in this matter and/or any other photographs, videotapes or other visual reproductions which any opposing party intends to introduce at trial.

PLEASE TAKE FURTHER NOTICE, that upon failure to produce the aforesaid items, a motion will be made to the Court for the appropriate relief with costs.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x

ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

**REFUSAL TO ACCEPT
SERVICE BY FACSIMILE
TRANSMISSION**

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK,

Defendant(s).

----- x

S I R S:

PLEASE TAKE NOTICE that defendant(s) NEW YORK CITY TRANSIT AUTHORITY, by attorney, WALLACE D. GOSSETT, hereby advises that inclusion upon this office's letterhead of a number of transmission of documents by electronic process ("FAX") is not to be deemed consent to service of litigation papers by such method, any provision of law or statute to the contrary notwithstanding; and

PLEASE TAKE FURTHER NOTICE that service of litigation papers in this or any other action upon the undersigned by "FAX" will not be accepted and is not authorized; except upon written permission given at least twenty-four (24) hours prior to such service.

Dated: Brooklyn, New York
June 21, 2007

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201

TO: [SEE RIDER ATTACHED]

VERIFICATION AFFIRMATION

The undersigned, an attorney associated with **WALLACE D. GOSSETT**, attorney for defendant(s), **NEW YORK CITY TRANSIT AUTHORITY** herein, states that he has read the foregoing **VERIFIED ANSWER WITH DEMANDS** and the same is true to his knowledge except as to matters therein stated to be alleged on information and belief, and as to those matters he believe(s) them to be true. Deponent further states that the sources of his information and the grounds of his belief are the books, records and papers of the said defendant(s) relating to the matter in issue and/or statements made by the officers, agents and employees of the defendant(s) and that the reason why this verification is not made by the defendant(s) is that the defendant(s) are a public benefit corporation(s).

The undersigned affirms that the foregoing statements are true, under penalties of perjury.

Dated: Brooklyn, New York
June 21, 2007

BENNETT S. FISCHTHAL

ATTORNEY AFFIRMATION

BENNETT S. FISCHTHAL, hereby affirms the following under penalties of perjury:

That he is an attorney and counselor-at-law admitted to practice in the Courts of this State.

That on _____ day of _____, affirmant served the VERIFIED ANSWER WITH DEMANDS, hereto annexed on [SEE RIDER ATTACHED], by depositing a true copy thereof properly enclosed in a securely closed and duly post-paid wrapper in a post office box regularly maintained by the government of the United States under the care of the Post Office at 130 Livingston Street, Brooklyn, New York 11201, directed to said attorney(s) at, [SEE RIDER ATTACHED], that being the address within the State designated by said attorney(s) for the purpose of service upon the preceding papers in this action.

Dated: Brooklyn, New York
_____ , _____

BENNETT S. FISCHTHAL

R I D E R

TO: JOSEPH FLEMING
Attorney for Plaintiff
45 John Street
New York, New York 10038

THE CITY OF NEW YORK
MICHAEL A. CARDOZO, ESQ.
100 Church Street
New York, New York 10007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROSETTA CAMPBELLE,

Plaintiff(s),

-against-

THE NEW YORK CITY TRANSIT AUTHORITY
and THE CITY OF NEW YORK

Defendant(s).

-----X

VERIFIED ANSWER WITH DEMANDS

-----X

WALLACE D. GOSSETT
Attorney(s) for defendant(s)
NEW YORK CITY TRANSIT AUTHORITY, AUTHORITY
Office and Post Office Address
130 Livingston Street
Brooklyn, New York 11201
(718) 694-3850

ATTORNEY CERTIFICATION

BENNETT S. FISCHTHAL

